IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5008 OF 2007

Anoop Saxena & Anr. .. Petitioners

V/s

Assistant Registrar,
SRA Co-operative Societies & Ors. .. Respondents

Mr.R.V. Govilkar for the petitioners.

Mr.V.A. Sampat, A.G.P. for respondents no.1 to 3.

Mr.Vishal Khamankar for respondent no.4.

CORAM : S.B. MHASE &
D.G. KARNIK, JJ.

DATE : 3RD JULY 2007

P.C. :

. Heard.

2. The grievance of the petitioners is that the election process of the respondent no.4 society is going on. Counsel for the petitioners states that the petitioners are in favour of continuing with the process of election. However, he submits that the said election process shall be continued under the supervision of an officer deputed by the respondents no.1 and 2. We find that the submission is proper even though it is opposed by the counsel for the respondent no.4 because if the election is conducted under the supervision of the

respondents no.1 and 2, the possibility of the election in the cupboard will be over and there will be a genuine election amongst the members.

3. In the circumstances, we direct the respondents no.1 and 2 to appoint a responsible officer from their department to supervise the election programme of the respondent no.4 society without disturbing the already published programme. We make it clear that the officer will not disturb the election officer already appointed, but he will see that the election is held as per the programme already published by the respondent no.4 society and its election officer.

4. The petition is disposed of with the above directions.

(D.G. KARNIK, J.) (S.B. MHASE, J.)